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5-13-20

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FILED
DISTRICT COURT
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DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

Az. No: 20-8163MJS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL EARL YELLOW,

Defendant.

INDICTMENT

VIOLATIONS:

COUNT 1: 18 U.S.C. § 922(g)(1),
Felon in Possession of a Firearm;
COUNTS 2-11: 16 U.S.C. § 688(a),
Unauthorized Taking of an Eagle.

Case: 2:18-cr-00470
Assigned To : Waddoups, Clark
Assign. Date : 10/18/2018
Description:

The Grand Jury Charges:

COUNT 1

18 U.S.C. § 922(g)(1)
(Felon in Possession of a Firearm)

On a date unknown to the Grand Jury between August 1, 2014 and August 17, 2015, in the
Central Division of the District of Utah,

MICHAEL EARL YELLOW,

the defendant herein, having been convicted of a crime punishable by imprisonment for more
than one year, did knowingly possess in and affecting commerce, a firearm, to wit: a Mossberg
702 Plinkster 22 caliber long rifle; in violation of 18 U.S.C. § 922(g)(1).

COUNT 2

16 U.S.C. § 668(a)
(Unauthorized Taking of an Eagle)

On a date unknown to the Grand Jury between August 1, 2014 and August 17, 2015, in the Central Division of the District of Utah,

MICHAEL EARL YELLOW,

the defendant herein, knowingly and with wanton disregard for the consequences of his act, did take and possess, at any time and in any manner, any bald eagle and golden eagle, dead and alive, and its parts without a permit; in violation of 16 U.S.C. § 668(a), the Bald and Golden Eagle Protection Act.

COUNT 3

16 U.S.C. § 668(a)
(Unauthorized Taking of an Eagle)

On a date unknown to the Grand Jury between August 1, 2014 and August 17, 2015, in the Central Division of the District of Utah,

MICHAEL EARL YELLOW,

the defendant herein, knowingly and with wanton disregard for the consequences of his act, did take and possess, at any time and in any manner, any bald eagle and golden eagle, dead and alive, and its parts without a permit; in violation of 16 U.S.C. § 668(a), the Bald and Golden Eagle Protection Act.

COUNT 4

16 U.S.C. § 668(a)
(Unauthorized Taking of an Eagle)

On a date unknown to the Grand Jury between August 1, 2014 and August 17, 2015, in the Central Division of the District of Utah,

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MICHAEL EARL YELLOW,

the defendant herein, knowingly and with wanton disregard for the consequences of his act, did take and possess, at any time and in any manner, any bald eagle and golden eagle, dead and alive, and its parts without a permit; in violation of 16 U.S.C. § 668(a), the Bald and Golden Eagle Protection Act.

COUNT 5

16 U.S.C. § 668(a)
(Unauthorized Taking of an Eagle)

On a date unknown to the Grand Jury between August 1, 2014 and August 17, 2015, in the Central Division of the District of Utah,

MICHAEL EARL YELLOW,

the defendant herein, knowingly and with wanton disregard for the consequences of his act, did take and possess, at any time and in any manner, any bald eagle and golden eagle, dead and alive, and its parts without a permit; in violation of 16 U.S.C. § 668(a), the Bald and Golden Eagle Protection Act.

COUNT 6

16 U.S.C. § 668(a)
(Unauthorized Taking of an Eagle)

On a date unknown to the Grand Jury between August 1, 2014 and August 17, 2015, in the Central Division of the District of Utah,

MICHAEL EARL YELLOW,

the defendant herein, knowingly and with wanton disregard for the consequences of his act, did take and possess, at any time and in any manner, any bald eagle and golden eagle, dead and

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alive, and its parts without a permit; in violation of 16 U.S.C. § 668(a), the Bald and Golden Eagle Protection Act.

COUNT 7

16 U.S.C. § 668(a)
(Unauthorized Taking of an Eagle)

On a date unknown to the Grand Jury between August 1, 2014 and August 17, 2015, in the Central Division of the District of Utah,

MICHAEL EARL YELLOW,

the defendant herein, knowingly and with wanton disregard for the consequences of his act, did take and possess, at any time and in any manner, any bald eagle and golden eagle, dead and alive, and its parts without a permit; in violation of 16 U.S.C. § 668(a), the Bald and Golden Eagle Protection Act.

COUNT 8

16 U.S.C. § 668(a)
(Unauthorized Taking of an Eagle)

On a date unknown to the Grand Jury between August 1, 2014 and August 17, 2015, in the Central Division of the District of Utah,

MICHAEL EARL YELLOW,

the defendant herein, knowingly and with wanton disregard for the consequences of his act, did take and possess, at any time and in any manner, any bald eagle and golden eagle, dead and alive, and its parts without a permit; in violation of 16 U.S.C. § 668(a), the Bald and Golden Eagle Protection Act.

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COUNT 9

16 U.S.C. § 668(a)
(Unauthorized Taking of an Eagle)

On a date unknown to the Grand Jury between August 1, 2014 and August 17, 2015, in the
Central Division of the District of Utah,

MICHAEL EARL YELLOW,

the defendant herein, knowingly and with wanton disregard for the consequences of his act, did
take and possess, at any time and in any manner, any bald eagle and golden eagle, dead and
alive, and its parts without a permit; in violation of 16 U.S.C. § 668(a), the Bald and Golden
Eagle Protection Act.

COUNT 10

16 U.S.C. § 668(a)
(Unauthorized Taking of an Eagle)

On a date unknown to the Grand Jury between August 1, 2014 and August 17, 2015, in the
Central Division of the District of Utah,

MICHAEL EARL YELLOW,

the defendant herein, knowingly and with wanton disregard for the consequences of his act, did
take and possess, at any time and in any manner, any bald eagle and golden eagle, dead and
alive, and its parts without a permit; in violation of 16 U.S.C. § 668(a), the Bald and Golden
Eagle Protection Act.

COUNT 11

16 U.S.C. § 668(a)
(Unauthorized Taking of an Eagle)

On a date unknown to the Grand Jury between August 1, 2014 and August 17, 2015, in the
Central Division of the District of Utah,

MICHAEL EARL YELLOW,

the defendant herein, knowingly and with wanton disregard for the consequences of his act, did take and possess, at any time and in any manner, any bald eagle and golden eagle, dead and alive, and its parts without a permit; in violation of 16 U.S.C. § 668(a), the Bald and Golden Eagle Protection Act.

NOTICE OF INTENT TO SEEK FORFEITURE


Pursuant to 16 U.S.C. § 668(b) and 28 U.S.C. § 2461, upon conviction of any offense in violation of 16 U.S.C. § 668(a), as set forth in this indictment, the defendant shall forfeit to the United States all bald or golden eagles, or parts thereof, taken possessed, sold, purchased, bartered, offered for sale, purchase, or barter, transported, exported, or imported contrary to the provisions of Title 16, Chapter 5A, Subchapter II, and all guns, traps, nets, and other equipment, vessels, vehicles, aircraft, and other means of transportation used to aid in the taking, possessing, selling, purchasing, bartering, offering for sale, purchase, or barter, transporting, exporting, or importing of any bird, or part thereof in violation of 16 U.S.C. § 668(a). The property to be forfeited includes, but is not limited to, the eagles and all eagle parts found at defendant's prior residence on the Uintah and Ouray Reservation.

A TRUE BILL:

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FOREPERSON OF GRAND JURY

JOHN W. HUBER
United States Attorney


TRINA A. HIGGINS
Assistant United States Attorney

AO 442

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United States District Court

DISTRICT OF UTAH - CENTRAL DIVISION

UNITED STATES OF AMERICA

v.

WARRANT FOR ARREST**Yellow****CASE NUMBER: 2:18-cr-00470-CW-1**To: The United States Marshal
and any Authorized United States Officer*604877*

YOU ARE HEREBY COMMANDED to arrest

MICHAEL EARL YELLOW

Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

- ☒ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information
☐ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation Petition
☐ Supervised Release Violation Petition

charging him or her with (brief description of offense)

UNLAWFUL TRANSPORT OF FIREARMS, ETC./Felon in Possession of Firearm
USE OF BALD AND GOLDEN EAGLE FOR SCIENTIFIC PURPOSES/Unauthorized Taking of an Eagle
and 28:2461 Criminal Forfeiture

in violation of 18:922(g)(1) and 16:668(a)

United States Code.

D. Mark Jones

Name of Issuing Officer

Clerk of Court

Title of Issuing Officer

Signature of Issuing Officer

October 18, 2018 at Salt Lake City, Utah

Date and Location

By: Jennifer Richards
Deputy Clerk

Bail fixed _____ by _____

Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above-named defendant at _____

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		